

AMENDED IN SENATE JUNE 28, 2016

AMENDED IN ASSEMBLY APRIL 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2414

Introduced by Assembly Member Eduardo Garcia

February 19, 2016

An act to add Chapter 8 (commencing with Section 32494) to Division 23 of the Health and Safety Code, relating to health care districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2414, as amended, Eduardo Garcia. Desert Healthcare District.

Existing law, the Local Health Care District Law, authorizes the organization and incorporation of local health care districts and specifies the powers of those districts, including, among other things, the power to establish, maintain, and operate, or provide assistance in the operation of, one or more health facilities or health services, including, but not limited to, outpatient programs, services, and facilities; retirement programs, services, and facilities; chemical dependency programs, services, and facilities; or other health care programs, services, and facilities and activities at any location within or without the district for the benefit of the district and the people served by the district.

This bill would authorize the expansion of the Desert Healthcare District to include the eastern Coachella Valley region by requiring the Board of Supervisors of the County of Riverside to submit a resolution of application to the Riverside County Local Agency Formation Commission, and, upon direction by the commission, to place approval of district expansion on the ballot at the next countywide election

following the completion of commission proceedings, including a public hearing. The bill would provide for expansion of the district upon voter approval, if a funding source sufficient to support the operations of the expanded district is, if required, approved, as specified. The bill would require the board of directors of the district, following expansion, to adopt a resolution to increase the number of members of the district's board of directors from 5 to 7, and to appoint 2 members who are residents of the territory annexed by the district to fill the vacant positions, as specified. By imposing new duties on the County of Riverside, the bill would impose a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Coachella Valley region of Riverside County.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 8 (commencing with Section 32494) is
2 added to Division 23 of the Health and Safety Code, to read:
3
4 CHAPTER 8. DESERT HEALTHCARE DISTRICT REORGANIZATION
5
6 32494. (a) The Desert Healthcare District may be expanded
7 in accordance with this chapter. All other provisions of this division
8 shall apply to the Desert Healthcare District following its
9 reorganization, except as provided in this chapter.
10 (b) (1) On or before January 5, 2017, the Board of Supervisors
11 of the County of Riverside shall file a resolution of application
12 with the Riverside County Local Agency Formation Commission,
13 pursuant to subdivision (a) of Section 56654 of the Government
14 Code, to initiate proceedings by the Riverside County Local
15 Agency Formation Commission for the purpose of expanding the

1 Desert Healthcare District to include the East Coachella Valley
2 region. The expanded district shall include all communities served
3 by the Desert Healthcare District as of the date of the filing of the
4 resolution of application, and shall also include, but not be limited
5 to, the communities of Indian Wells, La Quinta, Indio, and
6 Coachella, and the unincorporated areas of Bermuda Dunes, Mecca,
7 Thermal, Oasis, North Shore, and Vista Santa Rosa. The resolution
8 of application shall comply with Section 56652 of the Government
9 Code and shall specify the source of funding for the expanded
10 district. The board of supervisors shall pay any fees associated
11 with the resolution of application.

12 (2) The Riverside County Local Agency Formation Commission
13 proceeding shall be deemed initiated on the date the resolution of
14 application is accepted for filing. Subsequent to initiation of the
15 proceeding, the commission shall hold a hearing pursuant to
16 Section 56666 of the Government Code. The commission shall
17 comply with the notice requirements of Sections 56660 and 56661
18 of the Government Code in connection with the hearing.

19 (3) The Riverside County Local Agency Formation Commission
20 shall complete its proceedings and direct the election required by
21 paragraph (2) of subdivision (c) no later than 150 days following
22 receipt of the completed resolution of application. Notwithstanding
23 any other law, the Riverside County Local Agency Formation
24 Commission shall not have the power to disapprove the resolution
25 of application.

26 (4) Notwithstanding any other law, the resolution of application
27 filed by the board of supervisors pursuant to this subdivision shall
28 not be subject to any protest proceedings.

29 (c) (1) The Riverside County Local Agency Formation
30 Commission shall order the expansion of the district subject to a
31 vote of the registered voters residing within the territory to be
32 annexed at an election following the completion of proceedings
33 pursuant to subdivision (b). *The commission may condition the*
34 *annexation on the district's imposition of sufficient revenues to*
35 *provide services within the territory to be annexed, including, but*
36 *not limited to, the concurrent approval of special taxes or benefit*
37 *assessments that will generate those sufficient revenues.*

38 (2) The Riverside County Local Agency Formation Commission
39 shall direct the board of supervisors to direct county officials to
40 conduct the necessary election for approval of district expansion

1 by placing approval of district expansion, pursuant to subdivision
2 (d) of Section 57118 of the Government Code, and approval of
3 any necessary funding source for the expanded district that requires
4 voter approval on the ballot at the next countywide election.

5 (3) If a majority of the voters within the territory ordered to be
6 annexed vote in favor of the expanded district and if a number of
7 voters required under applicable law to approve any necessary
8 funding source that requires voter approval vote in favor of that
9 funding source, the district shall be expanded in accordance with
10 this chapter.

11 (d) The Cortese-Knox-Hertzberg Local Government
12 Reorganization Act of 2000 (Division 3 (commencing with Section
13 56000) of Title 5 of the Government Code) shall not apply to the
14 expansion of the district pursuant to subdivisions (b) and (c), except
15 as specified in this part. The act shall apply to any other change
16 of organization or reorganization as defined in that act, following
17 the reorganization of the district pursuant to this section.

18 (e) As used in this chapter, “district” means the Desert
19 Healthcare District.

20 32496. (a) Thirty days after the expansion of the district, and
21 notwithstanding Sections 32100.01 and 32100.02, the Board of
22 Directors of the Desert Healthcare District shall adopt a resolution
23 to increase the number of members of its board of directors from
24 five to seven without the necessity of a petition or approval thereof
25 by voters residing within the district. The resolution shall become
26 effective on the date of, and subject to any conditions specified
27 in, the resolution.

28 (b) The additional vacancies created by the expansion shall be
29 filled by appointment by the board of directors. A person appointed
30 to fill a vacancy created by subdivision (a) shall be a registered
31 voter and a resident of the territory annexed by the district pursuant
32 to Section 32494.

33 (c) Upon appointment, the board shall, by lot, designate one
34 member appointed pursuant to subdivision (a) who shall leave
35 office when his or her successor takes office pursuant to Section
36 10554 of the Elections Code, and one member appointed pursuant
37 to subdivision (a) who shall leave office two years thereafter.

38 (d) A vacancy in one or both of the board positions created by
39 subdivision (a) after the first appointments to those positions

1 pursuant to subdivision (b) shall be filled by the methods prescribed
2 in Section 1780 of the Government Code.

3 (e) This section shall only become operative if the Desert
4 Healthcare District is expanded in accordance with Section 32494.

5 SEC. 2. The Legislature finds and declares that a special law
6 is necessary and that a general law cannot be made applicable
7 within the meaning of Section 16 of Article IV of the California
8 Constitution because of the unique community needs in Riverside
9 County that would be served by the expansion of the Desert
10 Healthcare District to include the entire Coachella Valley region,
11 including limited access in the eastern Coachella Valley to health
12 care services by an underserved population that suffers from a
13 higher than average prevalence of preventable disease.

14 SEC. 3. If the Commission on State Mandates determines that
15 this act contains costs mandated by the state, reimbursement to
16 local agencies and school districts for those costs shall be made
17 pursuant to Part 7 (commencing with Section 17500) of Division
18 4 of Title 2 of the Government Code.